

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RAJENDRA D. BADGAIYAN, M.D.,

Plaintiff,

v.

Case No. 04-12031 JLT

**ANTHONY J. PRINCIPI, Secretary,
Department of Veterans' Affairs; President
and Fellows of HARVARD COLLEGE; and
Grace J. Mushrush, M.D.,**

Defendants

**DEFENDANT PRESIDENT AND FELLOWS OF HARVARD COLLEGE'S
NOTICE OF PENDING MOTIONS, AND REQUEST FOR DECISION,
PURSUANT TO 8/25/05 DISCOVERY ORDER,**

Pursuant to the Discovery Order of this Court, Tauro, J., issued on August 25, 2005, the Defendant, President and Fellows of Harvard College ("Harvard University") provides this written notice to the Court of the following pending motions and requests that this Court grant the relief requested within both pleadings:

1. Defendant's Opposition to Plaintiff's Motion for Leave to File His Opposition to Defendant Harvard's Motion to Dismiss Counts After the Rule-Prescribed Time (8/15/05);
2. Defendant Harvard University's Motion to Dismiss Counts I, II, III, and IV of the Plaintiff's Amended Complaint (4/14/05).

Respectfully submitted,
Defendant, President and Fellows of
Harvard College,
By their attorneys,

/s/ Daniel S. Field, /s/ Robert P. Joy
Robert P. Joy, Esq. (BBO No. 254820)
Daniel S. Field, Esq. (BBO No. 560096)
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Boston, MA 02109-2605
(617) 523-6666

Date: September 9, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon counsel for the plaintiff, Paul H. Merry, Esq., Law Office of Paul H. Merry, Esq. 44 School Street, 10th Floor, Boston, MA 02108, electronically and by first-class U.S. mail this 9th day of September, 2005.

/s/ Daniel S. Field
Daniel S. Field